

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-201

MASON O. BEAUDRY,

Defendant.

DEFENDANT'S SUPPLEMENT TO SENTENCING MEMORANDUM

Mason O. Beaudry, by counsel, hereby submits the attached Exhibit A and Exhibit B as supplements to his sentencing memorandum. In support, Beaudry provides the following:

1. On August 3, 2020, Beaudry was to be sentenced in this matter. As the court may recall, at that hearing, the government learned of a Petition for a Temporary Restraining Order [hereinafter Petition for TRO] being filed by the mother of Beaudry's child, Rachael Vandomelen, and requested an adjournment. The government advised that there was information within that application alleging Beaudry possessed a weapon and requested additional time to look into

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the matter prior to his sentencing. Over Beaudry's defense counsel's objection, the court granted the request for an adjournment and scheduled the sentencing for one week later. Unfortunately, undersigned counsel had medical issues arise and another adjournment was requested, this time by Beaudry. The court granted that request and sentencing is now set for Friday, September 18, 2020, at 1:30 p.m.

2. Exhibit A is a copy of that Petition for TRO. That Petition for TRO is declared under penalty of false swearing by Vandomelen . No boxes are checked on page one indicating a weapon was ever involved. Further, on page 5 of Exhibit A, the first question asks if she is aware of Beaudry possessing any firearms in the past six months and she marks "No, I do not know that the respondent now owns or possesses, or during the past six months has owned or possessed, any firearms."

3. Exhibit B is a transcript of the hearing regarding the issuance of the TRO requested by Vandomelen in the Petition for TRO. After hearing from both Vandomelen and Beaudry under oath, the court dismissed the Petition for TRO. Beaudry submits the following excerpts as relevant to his argument for probation in this matter:

a. Page 6, line 2: The court states "...you're trying to explain to me why you want the no-contact order put in place, and just telling me he shows up uninvited isn't a form of domestic abuse..."

b. Page 6, line 11: Vandomelen states "...Mason has not threatened me physically in that incident."

c. Page 7: Vandomelen states "...Mason hasn't threatened to physically harm me. He hasn't threatened to physically harm me and we haven't had a physical altercation at all."

d. Page 11, line 17: Beaudry states "...she says I show up to her residence uninvited. That's not true, because most of the time I show up to where she's currently living, which is her parent's house...and I show up there with permission from her parents to come see my son. So that's pretty much the only time I ever show up there is when I have permission. I don't think there's been one occasion where I ever showed up uninvited."

e. Page 19, line 17: The court states "Based on the definition of domestic abuse for these incidents, I can't find that it has risen to the level of domestic abuse, and I think Ms. Vandomelen acknowledges that. I'm not sure, at this point, if it rises to the level of harassment or not, either."

4. The court hearing the Petition for TRO advises Beaudry and Vandomelen to obtain a schedule for visitation for their son to avoid these issues in the future. As Beaudry argues in his Sentencing Memorandum at the bottom of page 2, his first goal should he receive probation is to go back to court and fight for shared

custody. That includes a scheduled order regarding visitation. The only obstacle stopping Beaudry from doing that already is the uncertainty as to whether or not he will be sentenced to prison or jail time here. Beaudry understands the need to have clear guidelines as to custody and visitation and plans on going back to family court to achieve that as quickly as possible upon completion of this case.

Dated at Green Bay, Wisconsin, this 16th day of September, 2020.

Respectfully Submitted,

s/ Krista Halla-Valdes

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